IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

WRIT PETITION NO.4924 OF 1994

1. Maharashtra Technical Education
Society and anr. ..Petitioners

Vs.

1. The University of Poona and ors. ..Respondents

Mr. R.V. Govilkar with Mr. Madhav Jamdar for Petitioners.
Mr. V.G. Mujumdar for respondent no.6.
Mrs. S.S. Bhende, AGP for State.

CORAM : B. H. MARLAPALLE &
D. B. BHOSALE,JJ.

Date : March 22, 2006.

P.C.:

. Admittedly, during the pendency of this petition the Government of Maharashtra established a separate Health University at Nasik by name and style as the Maharashtra University of Health Sciences in the year 1997 and consequently all the colleges conducting different diploma, degree and post graduate courses in health sciences came to be affiliated to this Health University. As at present the petitioner no.2-college run by the petitioner no.1-society is not affiliated to the respondent no.1-University and the impugned directions are given by the said University i.e. respondent no.1. On account of this change in the intervening period the supervision and control so

far as the petitioner no.2-college is concerned, entirely vests with the Central Council of Homoeopathy, New Delhi at the first instance and then the Maharashtra University of Health Science.

. The challenge raised in this petition, therefore, has become stale and in fact it does not survive any further. Hence the petition is dismissed as infructuous. Rule discharged. No costs.

. Needless to mention, if any proceedings are sought to be initiated against the petitioners based on the directions issued by respondent no.1, in future, the petitioners will be at liberty to take recourse to appropriate proceedings.

(D.B. Bhosale,J.) **(B.H. Marlapalle, J.)**